

## QUESTION NO. 9

### Amendment to the Nevada Constitution

An Initiative relating to the use of a plant of the genus  
Cannabis for medical purposes

### CONDENSATION (ballot question)

Shall the Nevada Constitution be amended to allow the possession and use of a plant of the genus Cannabis (marijuana) for the treatment or alleviation of certain illnesses upon advice of a physician, to require parental consent for such use by minors, and to authorize appropriate methods of supply to patients authorized to use it?

Yes ..... ☐  
No ..... ☐

### EXPLANATION

The proposed amendment to the Nevada Constitution would add a new section providing for the use by a patient, upon advice of his or her physician, of a plant of the genus Cannabis for the treatment or alleviation of cancer; glaucoma; acquired immunodeficiency syndrome; severe, persistent nausea or cachexia resulting from these or other chronic or debilitating medical conditions; epilepsy and other disorders characterized by seizure; multiple sclerosis and other disorders characterized by muscle spasticity; or other conditions approved by law for such treatment. The amendment would restrict the medical use by a minor by requiring diagnosis and a written authorization by a physician, parental consent, and parental control of the acquisition and use of the plant.

The proposed amendment would provide for a confidential registry of patients authorized to use the plant which would be available only to law enforcement officials; would authorize appropriate methods of supply to authorized patients; and would protect plant and property related to the plant's use from forfeiture except on conviction or a guilty or nolo contendere plea of unauthorized possession or use.

The proposal does not authorize the use or possession of the plant for use other than medical nor for medical use in a public place. The amendment does not require reimbursement by an insurer for medical use nor accommodation of medical use in a place of employment.

### ARGUMENTS FOR PASSAGE

Proponents of the proposal argue that scientific research indicates that marijuana has medicinal value for some patients with the illnesses enumerated in the proposal. However, current Nevada law classifies possession of marijuana as a felony. The proposal would protect patients from criminal penalties if they use Cannabis with the knowledge and consent of a physician to treat these illnesses. The initiative would require the legislature to impose additional restrictions on the medical use by minors, requiring written authorization by a physician and parental consent. A confidential registry of authorized users shall be created and available to law enforcement agencies to verify a claim of authorization. With the safeguards included to protect the concerns of society, this proposal can make a difference in the lives of thousands of persons suffering from these serious illnesses. The initiative is an attempt to balance the needs of patients with the concerns of society about marijuana use.

### ARGUMENTS AGAINST PASSAGE

Opponents of the proposal dispute the medicinal value of marijuana, arguing that its effects can be achieved with present medications distributed through legal channels. They also cite medical evidence that marijuana is addictive and that its use may cause birth defects. Most law enforcement agencies oppose the proposal based on their belief that its passage will increase the use of marijuana and be an introduction to more harmful and illegal hard drugs. Federal law making the possession or use of marijuana a crime will prevent physicians from prescribing marijuana and suppliers and druggists from dispensing it through legal channels. Thus, its production and distribution will be largely uncontrolled, thereby offering an attractive opportunity for organized crime and gang distribution.

Opponents also argue the fact that because production and distribution of marijuana would still be illegal under federal law, effective regulation will be impossible to enact and enforce.

### FISCAL NOTE

**Financial Impact - None.** This proposal should have no negative fiscal impact.

**THERE ARE NO  
BALLOT QUESTION  
NUMBERS 10 THROUGH 16.**